

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF PENNSYLVANIA**

-----  
HILDA L. SOLIS, SECRETARY OF LABOR, :  
UNITED STATES DEPARTMENT OF LABOR, :

Plaintiff, :

v. :

JOHN J. KORESKO, V, et al., :

Defendants. :

CIVIL ACTION No.  
2:09-cv-00988

-----  
**PLAINTIFF'S RESPONSE TO  
DEFENDANTS' MOTION FOR PROTECTIVE ORDER**

Defendants' Motion for a Protective Order should be denied as Plaintiff has not filed a motion to compel the continuation of the adjourned depositions of Defendants Penn-Mont Benefit Services, Inc. and Penn Public Trust nor sought sanctions against either Defendant. In that the preliminary injunction hearing is set for September 2, 2009, Plaintiff does not intend to seek a ruling on the issue prior to the hearing. Should the Plaintiff later file a motion to compel discovery or seek sanctions against either Defendant for their unwillingness to resume their depositions, Defendants could re-file their motion. The current motion should be denied as premature and lacking merit.

Post Office Address:

Catherine Oliver Murphy  
Regional Solicitor  
Office of the Solicitor  
U. S. Department of Labor  
Suite 630E, The Curtis Center  
170 S. Independence Mall West  
Philadelphia, PA 19106-3306  
(215) 861-5126  
(215) 861-5162 (fax)

Respectfully submitted,

Carol A. De Deo  
Deputy Solicitor for National  
Operations

Catherine Oliver Murphy  
Regional Solicitor

/s/Joanne Jarquin  
Joan M. Roller  
Linda M. Henry  
Joanne Jarquin  
Attorneys for Plaintiff  
U.S. DEPARTMENT OF LABOR